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HOUSE BILL 813

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO HUMAN RIGHTS; PROVIDING THAT A PLACE OF PUBLIC
ACCOMMODATION MAY NOT DENY ACCESS TO A PERSON WHO OPERATES A
MOTORCYCLE; PRESCRIBING CIVIL DAMAGES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. PLACE OF PUBLIC ACCOMMODATION--RESTRICTION ON
DENIAL OF ACCESS TO A PERSON WHO OPERATES A MOTORCYCLE--CIVIL
DAMAGES. --

A. A place of public accommodation may not
restrict access, admission or usage to a person solely because
the person operates a motorcycle or because the person is
wearing clothing that displays the name of a motorcycle
organization or association.

B. Notwithstanding the provisions of Subsection A
of this section, a place of public accommodation may restrict

underscored material = new
[bracketed material] = delete

1 access, admission or usage to a person because the person's
2 conduct poses a risk to the health or safety of another person
3 or to the property of another person.

4 C. A person who is denied access to, admission to
5 or usage of a place of public accommodation because the person
6 operates a motorcycle or because the person is wearing
7 clothing that displays the name of a motorcycle organization
8 or association may bring an action for:

9 (1) civil damages in an amount not to exceed
10 five hundred dollars (\$500);

11 (2) injunctive relief; and

12 (3) recovery of attorney fees in an amount
13 not to exceed five hundred dollars (\$500).

14 D. As used in this section, "place of public
15 accommodation" means a business, refreshment, entertainment,
16 recreation or transportation facility of any kind, whether
17 licensed or not, whose goods, services, privileges or
18 accommodations are extended, offered, sold or otherwise made
19 available to the public.

20 Section 2. EFFECTIVE DATE. --The effective date of the
21 provisions of this act is July 1, 1999.